

**MARCH 2, 2009**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**PARMA CITY HALL COUNCIL CHAMBERS**  
**7:05 PM**

The Regular Council Meeting was called to order by President of Council Charles M. Germana, presiding.

**COUNCIL MEMBERS PRESENT:**

SEAN BRENNAN  
NICHOLAS CELEBREZZE  
BRIAN DAY  
MARY GALINAS  
ROY J. JECH  
LARRY NAPOLI  
KENNETH A. RAMSER  
TOM REGAS  
SCOTT TUMA

Mr. Mastroianni - Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present.

The following officials and department heads were also present: Mayor Dean DePiero, Law Director Tim Dobeck, Treasurer Anthony Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, City Engineer/Building Commissioner Paul Deichmann, Assistant Building Commissioner Don Graves, Communications and Community Relations Director Jack Marschall, Recreation Director Mickey Vittardi, Director of Public Housing Lev Kulchytsky, Mayor's Chief of Staff Meghann McCall, Senior Citizen Director Jo Ann Mason, Economic Development Officer Shelley Cullins, Deputy Clerk I Linda Young, and Clerk of Council Tom Mastroianni.

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**LEGISLATIVE COMMENT**

Council President Charles Germana asked if there were any questions or comments regarding the pieces of legislation Council would be taking final action on tonight.

Dennis Kampe, Sarasota Drive – Remarked on proposed Resolutions Nos. 56-09 and 57-09. Asked who was going to add their names to them.

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**INVOCATION**

The Invocation was given by Clerk of Council Tom Mastroianni.

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**PLEDGE ALLEGIANCE TO THE AMERICAN FLAG**

Led by James L. Gress, recipient of Resolution No. 58-09.

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**RESOLUTIONS/PROCLAMATIONS**

**Resolution No. 58-09**

3/2/09

L-58-09

By: S. Tuma and the rest of Council

A RESOLUTION HONORING JAMES L. GRESS UPON ATTAINING THE  
RECOGNITION OF THE GREATER CLEVELAND BSA COUNCIL OF  
OF SILVER BEAVER AWARD

Resolution and Proclamation presented by Councilman Tuma, Chuck Germana and Mayor DePiero. Certificates from the Law Director, Treasurer, and State Representative were presented.

**Resolution No. 16-09**

3/2/09

L-16-09

By: S. Brennan, R.J. Jech, N. Celebrezze, S. Tuma and the rest of Council

A RESOLUTION HONORING CASSANDRA JOHNSON ON HER  
IMPLEMENTATION OF THE GIRL POWER PROGRAM

Resolution and Proclamation presented by Councilmen Brennan and Tuma with Mayor DePiero. Certificates from the Law Director and Treasurer were presented.

**Resolution No. 40-09**

3/2/09

L-40-09

By: Mary Galinas and the rest of Council

A RESOLUTION COMMENDING THE LEADERS AND PRINCIPAL OF  
THE HANNA ELEMENTARY SCHOOL FAST PROGRAM

Resolution and Proclamation presented by Councilwoman Galinas and Mayor DePiero. Certificates from the Law Director and Treasurer were presented.

**Resolution No. 43-09**

3/2/09

L-43-09

By: Thomas Regas, Kenneth Ramser and the rest of Council

A RESOLUTION COMMENDING THE LEADERS AND SUPERVISOR OF  
THE ARLINGTON FIRST STEP PRESCHOOL FAST PROGRAM

Resolution and Proclamation presented by Councilmen Regas and Ramser with Mayor DePiero. Certificates from the Law Director and Treasurer were presented.

**Resolution No. 48-09**

3/2/09

L-48-09

By: Roy J. Jech, Nicholas Celebrezze and the rest of Council

A RESOLUTION COMMENDING THE LEADERS AND PRINCIPAL OF THE  
STATE ROAD ELEMENTARY SCHOOL FAST PROGRAM

Resolution and Proclamation presented by Councilmen Jech and Celebrezze with Mayor DePiero. Certificates from the Law Director and Treasurer were presented.

**DISPOSAL OF THE JOURNAL**

Mr. Germana – Stated that we have the Minutes of the Regular Council Meeting of February 17, 2009. Are there any additions or corrections to these Minutes? Hearing none, the Minutes shall stand approved as printed.

**AMENDMENT TO THE CALENDAR**

Motion made by Councilman Jech, seconded by Councilman Day to amend the calendar by adding Resolution No. 50-09 to Suspension of the Rules. Motion carried.

**COMMUNICATIONS, PETITIONS AND CLAIMS**

Request for a Variance Extension for Applicant, Timothy Boyko, for a variance which was approved on August 6, 2008, to build a new medical/office building was approved by City Council.

Proposal to vary for Carl and Judy Bayer of 4601 W. Ridgewood Drive was read and referred to the Planning Committee for discussion.

Proposal to vary for Lourdes Rushwin of 2912 Somia Drive was read and referred to the Planning Committee for discussion.

Two proposals to vary for Kristen Hudach Lydecker for property located at 6438 Monmouth Rd. was read and referred to the Planning Committee for discussion.

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**FIRST READING:**

**Ordinance No. 49-09**

3/2/09

L-49-09

By: L. Napoli

AN ORDINANCE TO ENACT SECTION 331.47 "IDLE REDUCTION, EXEMPTIONS, PENALTY" OF CHAPTER 331 "OPERATION GENERALLY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA

Mr. Germana – Said Ordinance shall be referred to the Environmental Standards Committee.

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**Ordinance No. 51-09**

3/2/09

L-51-09

By: L. Napoli

(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE WEST PARKVIEW DRIVE ROADWAY STABILIZATION PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance shall be referred to the Finance Committee.

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**SECOND READING:**

**Ordinance No. 305-08**

2/17/09

L-305-08

By: T. Regas

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A COLLEGE GRADUATE FIRST-TIME HOME BUYER PROGRAM TO ASSIST COLLEGE GRADUATES WITH THE EXPENSES OF BUYING A HOME IN THE CITY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 305-08 back to the Finance Committee with the addition of the rest of Council as sponsors. Motion carried.

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**Ordinance No. 44-09**

2/17/09

L-44-09

By: M. Galinas

AN ORDINANCE TO AMEND THE TRAFFIC CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Galinas, seconded by Councilman Day to refer Ordinance No. 44-09 back to the Public Safety Committee. Motion carried.

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**Ordinance No 46-09**

2/17/09

L-46-09

By: S.M. Tuma

(By Request – Law Director)

AN ORDINANCE TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN THE CITY OF PARMA AND THE PLAINTIFFS IN THE CASE KNOWN AS MICHAEL RAGAN ET AL. V. CITY OF PARMA, ET AL., AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 46-09 back to the Finance Committee. Motion carried.

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**Ordinance No. 47-09**

2/17/09

L-47-09

By: M. Galinas

AN ORDINANCE TO AMEND THE GENERAL OFFENSES CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Galinas, seconded by Councilman Day to refer Ordinance No. 44-09 back to the Public Safety Committee. Motion carried.

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**SECOND READING SUSPENSION OF THE RULES:**

**Ordinance No. 36-09**

2/17/09

L-36-09

By: M. Galinas

(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CLEVELAND STATE UNIVERSITY TO STUDY THE FEASIBILITY OF A MULTI-MUNICIPALITY DISPATCH SYSTEM AND DECLARING AN EMERGENCY

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 36-09 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried.

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 36-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma

No: None; Motion carried. Ordinance No. 36-09 is adopted.

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**THIRD READING:**

**Ordinance No. 23-09**

2/2/09

L-23-09

By: S. Brennan

(By Request – Human Resources Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT “A” OF ORDINANCE NO. 423-06 RELATIVE TO THE COMPENSATION FOR THE POSITION OF PART-TIME CLERK WITHIN THE COUNCIL OFFICE

Motion made by Councilman Brennan, seconded by Councilman Day to amend Ordinance No. 23-09 by changing the amount in Section 1 and in Exhibit A to be \$15.32. Further moved to waive Rule 51 and place amended Ordinance No. 23-09 on Third Reading for passage. Motion carried.

Motion made by Councilman Jech, seconded by Councilman Day to adopt amended Ordinance No. 23-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried. Amended Ordinance No. 23-09 is adopted.

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**Ordinance No. 27-09**

2/2/09

L-27-09

By: M. Galinas

(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1302.05 “AMENDMENTS”

RELATIVE TO FIRE DEPARTMENT CONNECTIONS OF CHAPTER 1302  
"INTERNATIONAL FIRE CODE" OF THE CODIFIED ORDINANCES OF THE CITY  
OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 27-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried. Ordinance No. 27-09 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 50-09, Ordinance No. 52-09, Resolution No. 53-09, Resolution No. 54-09, Resolution No. 56-09, and Resolution No. 57-09 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried.

Mr. Germana - Shall Rule 44 requiring reference to committee be dispensed with and Resolution No. 50-09, Ordinance No. 52-09, Resolution No. 53-09, Resolution No. 54-09, Resolution No. 56-09, and Resolution No. 57-09 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried.

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**Resolution No. 50-09**

3/2/09

L-50-09

By: B. Day, R. J. Jech, L. Napoli, S. Brennan, N. Celebrezze, M. Galinas, K. Ramser,  
T. Regas, S. Tuma  
(By Request – Mayor)

A RESOLUTION APPROVING THE OHIO HISTORICAL SOCIETY GRANT  
APPLICATION, NAMING WEST CREEK PRESERVATION COMMITTEE AS THE  
DESIGNATED ADMINISTRATIVE AGENT/COORDINATOR FOR THE CITY  
OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 50-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried. Resolution No. 50-09 is adopted.

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**Ordinance No. 52-09**

3/2/09

L-52-09

By: S. M. Tuma  
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2009 TEMPORARY APPROPRIATIONS OF THE  
CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 52-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried. Ordinance No. 52-09 is adopted.

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**Resolution No. 53-09**

3/2/09

L-53-09

By: S.M. Tuma  
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF  
REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN  
EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution  
No. 53-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried. Resolution No. 53-09 is adopted.

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**Resolution No. 54-09**

3/2/09

L-54-09

By: S. Brennan, N. Celebrezze, B. Day, M. Galinas, R.J. Jech, L. Napoli, K. Ramser,  
T. Regas, S. Tuma  
(By Request – Mayor & Law Director)

A RESOLUTION ALLOWING THE MAYOR AND THE LAW DIRECTOR TO  
INTERVENE IN THE FIRST ENERGY RATE CASE BEFORE THE PUBLIC  
UTILITIES COMMISSION OF OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution  
No. 54-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried. Resolution No. 54-09 is adopted.

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**Resolution No. 56-09**

3/2/09

L-56-09

By: R.J. Jech, K.A. Ramser, L. Napoli, T. Regas, S. Tuma, S. Brennan, N. Celebrezze,  
B. Day, M. Galinas  
(By Request – Mayor)

A RESOLUTION SUPPORTING SECTION 1605 "USE OF AMERICAN IRON,  
STEEL, AND MANUFACTURED GOODS" IN THE 2009 STIMULUS PACKAGE,  
AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution  
No. 56-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried. Resolution No. 56-09 is adopted.

Councilman Ramser commented that everyone should buy American for America.  
Councilman Jech said he would comment after the meeting.  
Councilman Napoli stated that we needed to stimulate America by using American  
products.

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**Resolution No. 57-09**

3/2/09

L-57-09

By: R.J. Jech, K.A. Ramser, L. Napoli, T. Regas, S. Tuma, S. Brennan, N. Celebrezze,  
B. Day, M. Galinas

A RESOLUTION SUPPORTING THE EMPLOYEE FREE CHOICE ACT, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution  
No. 57-09.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Motion carried. Resolution No. 57-09 is adopted.

## **PUBLIC COMMENT**

No one wished to comment.

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## **MISCELLANEOUS**

Mayor DePiero – Thanked everyone for their attendance at his State of the City address last Wednesday. He went to Washington DC last Wednesday to lobby for stimulus money for Parma. He lobbied for earmarking bills for August/September, hoping for extra dollars.

Councilman Brennan – No comment.

Councilman Celebrezze – No comment.

Councilman Day – No comment.

Councilwoman Galinas – No comment.

Councilman Jech – Supported Resolution No. 56-09 and Resolution No. 57-09 as one is important for Americans and the other supports Unions.

Councilman Napoli – He also supported these Resolutions as they represent our freedoms and choice for Americans.

Councilman Ramser – Urged everyone to buy America, support American jobs (Resolutions 56-09 and 57-09).

Councilman Regas – No comment.

Councilman Tuma – Congratulated all the Resolution recipients.

President Germana – He supports Ordinance No. 49-09 is very necessary for our area. He urged everyone to go to the NOCCA website: [noccassoc.org](http://noccassoc.org) to see the 50 minute video on the subject. Stock market is down. Beneficial Finance just closed all their retail offices in America with no warning. More lost jobs.

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## **ADJOURNMENT**

Motion made by Councilman Day, seconded by Councilwoman Galinas to adjourn said Council Meeting at 8:18 PM. Motion carried.

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## **CERTIFICATION**

I, Tom Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes of the Regular Council Meeting held on Monday, March 2, 2009.

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TOM MASTROIANNI  
CLERK OF COUNCIL

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CHARLES M. GERMANA  
PRESIDENT OF COUNCIL

Minutes were completed on 3/3/09 lly

